

On April 16, 1934, the United States attorney for the Northern District of Illinois, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 42 small packages and 4 large packages of Men-Tho-Eze at Chicago, Ill., alleging that the article had been shipped in interstate commerce, on or about November 23, 1932, by Men-Tho-Eze, from Fort Dodge, Iowa, and charging adulteration and misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of small proportions of volatile oils, including methyl salicylate, incorporated in petrolatum, with but a small proportion, if any, of animal fat. Bacteriological examination showed that it was not antiseptic.

The libel alleged that the article was adulterated in that its strength fell below the professed standard of quality under which it was sold, namely (carton) "Very Antiseptic."

Misbranding was alleged for the reason that the following statements in the labeling, (carton) "It Contains Goose Grease and Turpentine, Very Antiseptic", (circular) "Men-Tho-Eze is a compound of old-fashioned goose grease and turpentine, combined with menthol, wintergreen, peppermint and other * * * essences and oils. It combines grandma's homely * * * remedies of goose grease and turpentine—the goose grease and turpentine cause a counter-irritation", were false and misleading, since it consisted largely of petrolatum and volatile oils and contained but a small proportion, if any, of goose grease and was devoid of antiseptic properties. Misbranding was alleged for the further reason that the jar cap, carton, and circular shipped with the article contained false and fraudulent claims relative to its effectiveness in the treatment of inflammations and congestions, piles, eczema, rheumatism, sore lips, catarrh, hay-fever, asthma, croup, la grippe, sore throat and all bronchial troubles, inflammation of sore membranes of throat and lungs, bronchitis, tonsilitis, chest colds, lame back, lumbago, sores, earache, sore feet, piles, Spanish influenza, and to its effectiveness as a healing agency, allaying irritation and subduing pain of tender internal passages, checking coughs, permitting restful, healing sleep, cutting phlegm and killing germs.

On May 15, 1934, no claimant having appeared, judgment of condemnation and forfeiture was entered and destruction of the product was ordered.

M. L. WILSON, *Acting Secretary of Agriculture.*

23247. Misbranding of Parkelp. U. S. v. 469 Packages of Parkelp. Default decree of condemnation and destruction. (F. & D. no. 32679. Sample no. 65441-A.)

This case involved a product which was represented to be of value as a source of minerals and vitamins. Analyses showed that it contained materially less iron, calcium, manganese, and copper than declared on the labels. Tests for vitamins showed that it contained inconsequential amounts of vitamins A and B and no appreciable amount, if any, of vitamin D.

The label also contained unwarranted therapeutic claims.

On May 7, 1934, the United States attorney for the Eastern District of Michigan, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 469 packages of Parkelp at Detroit, Mich., alleging that the article had been shipped in interstate commerce, on or about May 26, 1933, by the Philip R. Park Laboratories, Inc., from Los Angeles, Calif., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of ground plant material containing such inorganic constituents as calcium, magnesium, iron, manganese, copper, sodium, potassium, sulphur, phosphorous, and iodine compounds. Biological analysis showed that it contained but an inconsequential proportion, if any, of vitamin D.

The article was alleged to be misbranded in that the following statements on the carton and in the circular, were false and misleading: (Carton) "Combination of Parkelp's minerals in biological tests has given the effects of vitamins A, B, D, and E"; (circular) "Various Minerals Present in Three Teaspoonfuls of Parkelp * * * Grains * * * Iron $\frac{1}{8}$ * * * Calcium 2% * * * Manganese 1/120 * * * Copper 1/200 * * * Parkelp is Mother Nature's own food to supply you with the balanced diet of important, needed minerals and vitamins A, B, D, and E in greater quantities than any land-grown vegetables * * * Parkelp balances your diet with necessary minerals and vitamins * * * It is practically impossible to include in the daily diet, sufficient

foodstuffs to supply the Organic Minerals and Vitamins, required by the body." Misbranding was alleged for the further reason that the statement "Vigor-Building", borne on the carton, was a statement regarding the curative or therapeutic effect of the article and was false and fraudulent,

On July 18, 1934, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

23248. Misbranding of Hill's Nose Drops. U. S. v. 169 Packages of Hill's Nose Drops. Default decree of destruction. (F. & D. no. 32707. Sample no. 41400-A.)

This case involved a drug preparation, the labeling of which contained unwarranted curative and therapeutic claims.

On May 16, 1934, the United States attorney for the District of Minnesota, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of 169 packages of Hill's Nose Drops at Minneapolis, Minn., alleging that the article had been shipped in interstate commerce, on or about April 14, 1934, by the Wyeth Chemical Co., from Detroit, Mich., and charging misbranding in violation of the Food and Drugs Act as amended.

Analysis showed that the article consisted essentially of ephedrine (0.5 per cent) and essential oils, including peppermint oil and methyl salicylate (5 per cent), incorporated in mineral oil.

The libel charged that the article was misbranded in that the following statements regarding its curative or therapeutic effects were false and fraudulent: (Bottle label) "Invaluable in the treatment of inflamed mucous membranes of nose and throat"; (carton) "The Modern Aid for Relief of * * * Nasal Catarrh, Hoarseness, Rhinitis, etc., invaluable in the treatment of inflamed mucous membranes of nose and throat"; (circular) "Modern Scientific Way To Care for the Nose and Throat [The anatomical illustrations with descriptive wording] Eye Socket Ethmoid Cells Middle Turbinate Bone Nasal Septum Sinuses Clogged up with Infection Anatomical cross-section of nasal passages within circle as outlined on accompanying sketch. This shows nasal passages and sinuses obstructed by swollen and inflamed mucous membrane which usually develops during colds, hay-fever, rhinitis, etc. Sinuses Free from Infection Normal condition of nasal passages and sinuses; showing free access of air through upper respiratory tract. Note free openings from sinuses in nasal passages. Science Makes Good Use of a great discovery Perhaps one of the greatest scientific discoveries ever made is Ephedrine. It has remarkable properties. When applied to mucous membranes it contracts the hair-like blood vessels and thus diminishes congestion and reduces swelling. When the sinus cavities or nasal mucous membranes are inflamed Ephedrine shrinks the congested areas and so reduces inflammation which is usually the cause of pain and misery. Now, in a great medical laboratory, the way has been found to compound Ephedrine and other clinically proven agents into a * * * healing liquid of marvelous effectiveness. That liquid is Hill's Nose Drops. How and Where Most Colds Start Nearly every breath you take endangers the health of your nose and throat. For the air is laden with germs and irritating dust particles that are the vehicles of disease. Of course, many of these germs are carried away, but some of them lodge in the moist, warm membranes where they thrive and multiply by the millions if neglected. Most coughs and colds start that way. Naturally, the most sensible way to check them is at the spot where they 'catch hold.' And nothing will help you do this quite like Hill's Nose Drops. For Relief and Protection This * * * healing liquid clears away congestion, reduces * * * inflammation to an amazing degree and spreads a comforting, protective film over the mucous membranes of the nasal and throat passages. Thus Hill's Nose Drops help to clear the head, give you relief and aid in preventing infection. Follow These Simple Directions For * * * Hay Fever, Rhinitis and Simple Nasal Infections . . . Tilt back your head and put five or six drops of Hill's Nose Drops up each nostril. Let them filter through the nasal passages and back into the throat. Do this morning and night—oftener if your condition demands it. You'll get relief almost immediately. Soreness will diminish. Congestion is cleared away. Inflammation is reduced * * * Your head clears and you are able to breathe in comfort. For Sore Throat, * * * Gargling or spraying a teaspoonful of Hill's Nose Drops in a half glass of water will ease the